



LOS ANGELES COUNTY COMMISSION ON HIV

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While not required of meeting participants, signing-in constitutes public notice of attendance. Presence at meetings is recorded solely based on sign-in sheets, and not signing-in constitutes absence for Commission members. Only members of the Commission on HIV are accorded voting privileges, thus Commissioners who have not signed in cannot vote. Sign-in sheets are available upon request.

JOINT PUBLIC POLICY (JPP) COMMITTEE MEETING MINUTES

February 17, 2010

Approved
1/21/2010

MEMBERS PRESENT	MEMBERS ABSENT	PUBLIC	HIV EPI AND OAPP STAFF	COMM STAFF/CONSULTANTS
Whitney Engeran-Cordova, <i>Co-Chair</i>	Lee Kochems, <i>Co-Chair</i>	Jessica Contes	None	Carolyn Echols-Watson
Kyle Baker	Carrie Broadus	Aaron Fox		Jane Nachazel
Jim Chud	Ron Osorio	Miki Jackson		Craig Vincent-Jones
Jeffrey Goodman	Chris Villa	Ted Liso		
Stephen Simon	Kathy Watt	Jason Wise		

CONTENTS OF COMMITTEE PACKET

- 1) **Agenda:** Joint Public Policy (JPP) Committee Agenda, 2/17/2010
- 2) **Minutes:** Joint Public Policy (JPP) Committee Meeting Minutes, 1/20/2010
- 3) **Legislation:** AB 750: Drug diversion, 10/11/2009
- 4) **Legislation:** AB 845: Corrections: Reentry Advisory Committee, 9/9/2009

1. **CALL TO ORDER:** Mr. Engeran-Cordova called the meeting to order at 2:25 pm.
2. **APPROVAL OF AGENDA:**
MOTION #1: Approve the Agenda Order, as presented (*Postponed*).
3. **APPROVAL OF MEETING MINUTES:**
MOTION #2: Approve the 1/20/2010 Joint Public Policy (JPP) Committee Meeting Minutes, as presented (*Postponed*).
4. **PUBLIC COMMENT, NON-AGENDIZED:** There were no comments.
5. **COMMITTEE COMMENT, NON-AGENDIZED:** There were no comments.
6. **CO-CHAIRS' REPORT:** All thanked Ms. Echols-Watson for her passion and commitment. She is transferring to the Department of Mental Health due to budget cuts.
7. **COMMITTEE MEMBERSHIP:**
A. **Chair Elections:** Co-Chair elections were postponed to the March meeting.
8. **PREVENTION:**
 - Mr. Engeran-Cordova noted the recent HIV Testing Summit hosted by OAPP. Issues raised include prevention budget cuts and regulatory implementation, such as for AB 221, which exempts HIV finger-stick rapid testing from phlebotomy requirements.
 - AB 221 is a statewide issue as counties no longer receive State testing funds. The law enabling HIV testing/counseling was designed as a State OraQuick pilot project, so lack of State funds may undercut its legal basis for testing without a legal fix.
 - Mr. Simon noted OA currently purchases only OraQuick, but is considering benefits and limitations of other technologies especially in regards to cost per test, e.g., OraQuick costs about \$12 per test; Inverness Clear View, \$8; Uni-Gold, \$7.
 - The State is within the required timeframe for issuing regulations, but Mr. Engeran-Cordova feels they may not be required. He would like OA to issue a statement that either confirms they are not needed or provides an expected date for regulations.

- The State is preparing a new one-day training (Basic II) on both oral and finger-stick testing. OA has reduced counselor training from 5 days to 4 and is discussing a 3-day curriculum. The County is developing a 3.5-day training.
- Mr. Engeran-Cordova agreed there are understandable training concerns in adapting to finger-stick tests in which the counselor physically interacts with the client as opposed to the self-administered oral tests.
- He added his AHF department had organizational challenges increasing tests 240% in one year to about 35,000 tests. The system would need to meet such challenges if it used savings per test to increase numbers. In addition, there would be challenges in identifying more people to test and in bringing the additional people testing HIV+ into care at a time of limited resources. There are now 2,000 people testing HIV+ in the County annually with 60% being linked into care.
- There are no rapid STD tests now, so co-location of STD with HIV rapid testing adds laboratory work and follow-up. Offering both, however, reaches a broader population. Mr. Goodman noted Common Ground now offers combined testing in a store front setting and has been able to increase HIV testing efficiency through establishment of the site. Both the County and several other providers also offer combined testing either through vans or clinic sites.
- ➡ Draft a letter requesting OA provide clarification on plans to implement AB 221 whether with or without regulations.

9. STATE BUDGET:

A. AIDS Drug Assistance Program (ADAP):

- Mr. Baker reported nothing new since the Governor's proposal to increase State General Funds from \$78 to \$156 million for a total program including federal and drug rebate funds of about \$478 million.
- The State proposal cuts funding for medications in county jails though counties legally must provide them. OAPP has met with the Sheriff's Department on multiple HIV issues. It is especially hard to ensure medications for those jailed briefly. A key support strategy is to ensure case management for those transitioning out of incarceration.
- Mr. Vincent-Jones reported Theresa Plouff is retiring from the State on 4/30/2010. She is the only person in State government well-versed in ADAP history and issues. She has been helpful in the past and will be missed.
- Mr. Engeran-Cordova said a letter from AHF to ADAP directors nationwide requests they take up the sustainability discussion. Ideas included are: 4-for-1, pharmaceutical companies contribute one prescription per four paid by ADAP; matching, pharmaceutical companies contribute on a ratio with federal funds; pay-go, pharmaceutical companies pay rebate funds in advance based on prior year's expenditures; ceiling, set annual ADAP limit per client with pharmaceutical companies paying any remainder. The latter could push prices down and stabilize fiscal planning.
- He also encouraged people to buy at least one share of Merck stock to be able to participate in shareholder meetings.
- NASTAD has issued a press release requesting more federal funds, especially for the 500 people now on waiting lists.
- Mr. Baker affirmed state and federal legislators are concerned about sustainability. Benefits are clear but, e.g., it is hard to advocate for California's \$500 million program for 35,000 people without recommending improvements.
- ➡ Initiate website to educate the community about ADAP sustainability issues in light of drug costs and increased need.
- ➡ Continue discussion of other funding sources such as federal intervention and pharmaceutical companies.

B. Strategy for Budget 2011:

- Mr. Baker noted the three issues are: maintain ADAP, support surveillance, re-initiate prevention support.
- Mr. Vincent-Jones noted JPP agreed at the last meeting to form a Budget Strategy Work Group which includes associated issues such as Medi-Cal and IHSS budget cuts. It will report back.

C. Surveillance:

- Mr. Vincent-Jones reported Douglas Frye, Director, HIV Epidemiology Program, has raised a concern that OA may recalculate the formula for how it distributes these funds. This would be consistent with OA's effort last year to de-fund jurisdictions receiving federal funds directly. It would place a particular burden on the County which has 40% of cases.
- Mr. Baker noted OA is very fragmented now with different units addressing different issues. OAPP has experienced difficulty in getting responses to queries. It is best to direct any issue to the specific unit which handles it.
- ➡ Write letter to OA requesting clarification on recalculating the formula and opposing de-funding any jurisdiction.

10. PUBLIC BENEFITS:

- Mr. Goodman reported the State now categorically denies Medi-Cal for those aged 21 to 65. ADAP requires all clients to be screened for Medi-Cal. Clients at first were receiving, and ADAP accepting, same-day denials. Now ADAP is rejecting those denials based on insufficient screening, but Medi-Cal refuses to review its denials leaving clients caught in the middle.
- The State is also now taking 90 days to process applications for the Medicare Part D Premium Payment Program. Mr. Goodman contacted the ADAP office as a Commissioner, but was told the office was in shambles and could not help.

- Mr. Vincent-Jones added there is a report that Medi-Cal is also denying health insurance premium coverage (HIPP) because Medi-Cal “deems them eligible for Medicare” without first determining whether Medicare considers them eligible.
- The Medi-Cal 1115 Waiver is due for renewal in the fall. The Waiver allows PWA to be covered by Medi-Cal. There is no known problem with renewal at the moment, but it should be watched to ensure no problem develops.
- ➡ Mr. Vincent-Jones will consult with Julie Cross, Benefits Consultant, on the above issues.

11. **HEALTH CARE REFORM:** The President is hosting a bi-partisan summit on the issue next week.

12. **CALIFORNIA CENTER FOR HIV/AIDS POLICY RESEARCH:**

- The Northern California branch is focusing on State budget cuts and interviewing agencies on impacts of cuts. The Southern California branch is discussing test and treat issues, the effect of prevention budget cuts and ADAP research.
- Several asked about the effort to quantify data. Mr. Goodman said his interview emphasized the client impact on, e.g., staff cuts precipitated by budget reductions. He expressed concern about broader data, e.g., regarding Medi-Cal cuts.
- Several noted this is initial research, so products are not expected at this point.
- ➡ Mr. Vincent-Jones will discuss facilitation of CCHAPR requests to OA for ADAP utilization data with Ms. Cross.
- ➡ Mr. Fox will report on progress at the next meeting.

13. **LEGISLATION:**

- ➡ The annual JPP legislative review and recommendation meeting will be 3/17/2010, 1:00 to 5:00 pm. Bills will be posted on the website. The Co-Chairs and Mr. Simon will review bills prior to the meeting.

14. **HIV/STD CONTROL IN THE ADULT FILM INDUSTRY:**

- Mr. Engeran-Cordova reported AHF went to the Board three weeks ago to request that Supervisor Yaroslavsky support County action. Mr. Engeran-Cordova proposed a four-point plan on 2/16/2010: cease and desist order to adult film companies to require condoms; amend bathhouse ordinance to define an adult film set as a commercial sex venue; work with the City of Los Angeles to identify unlawful movie sets; hold AIM accountable for not complying with County requirements.
- AHF is coordinating direct advocacy reflecting discontent with AIM’s failure to support condoms in film. Those interested in participating can contact Miki Jackson at mikijackson@sbcglobal.net.
- Mr. Vincent-Jones noted the County supports action, but prefers addressing the subject via State legislation. There has, however, been difficulty in finding an author for such legislation.
- Ms. Jackson noted the industry itself puts out a comprehensive catalog of producers that regulators can reference if desired.
- Mr. Engeran-Cordova said Cal-OSHA is willing to act, but does so only in response to complaints.

15. **FEDERAL ISSUES:** The item was postponed.

16. **HIV SURVEILLANCE:** There was no additional discussion.

17. **CORRECTIONS:**

- ➡ Mr. Baker will follow-up next month on results from the Public Health-Sheriff’s Department meeting.

18. **WORK PLAN:** There was no discussion.

19. **ANNOUNCEMENTS:**

- Mr. Simon said there was a Senate Subcommittee meeting last week on cutting ADAP reimbursement to county jails. The LA County Sheriff’s Department, the Center for Health Justice and others testified to the importance of ADAP funding.
- The California Hepatitis Alliance is planning a legislative briefing in Sacramento though it may be held here instead. Mr. Simon will follow-up to ensure that, if held here, there is good support.

20. **ADJOURNMENT:** The meeting adjourned at 4:00 pm.